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GR 125
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EDWARD B. EVANS
1936-1971
11-16-83

PATENT
AND
TRADEMARK
LAWYERS

TELECOPIER
513-421-7269

September 20, 1983

RECEIVED

SEP 27 1983

Hon. Commissioner of Patents
and Trademarks
Washington, D. C. 20231

GROUP 120

Re: Charges to Deposit Account No. 23-3000
Relative to Pat. Appln. Ser. No. 358,055

Sir:

It has come to my attention that our deposit account, above identified, for the month of August, 1983, has in one instance been overcharged by \$112.00 for claims in excess of 20 and erroneously credit for \$25.00 for an extension fee within the first month.

By copies attached it will be noted that the application in question was filed with a filing fee of \$165.00 as shown on the transmittal, which fee was received by the Patent Office as indicated by copy of cancelled check No. 102013. However, the filing receipt, copy of which is attached, indicates receipt of only \$125 for the filing fee. The application as originally filed presumably contained only 25 claims, as indicated on the filing receipt, not 30, as indicated on the transmittal sheet. Five additional claims 26-30 were added by amendment dated August 1, 1983, in order to incorporate into the application those claims which presumably were not included with the application as originally filed. At the time of filing the August 1, 1983, amendment, a fee calculation sheet was attached (copy attached hereto) to the amendment indicating that 30 claims had in fact previously been paid for and, hence, no additional fee required. The \$112 fee charged on our August deposit account statement is, therefore, in error and we request a credit in the same amount.

On the matter of the \$25.00 credit for an extension fee for response within the first month, presumably this should have been a charge rather than a credit since a check in the amount of \$25.00 was enclosed with the

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Petition for Extension of Time, but small entity status had not been established at the time of filing the amendment and petition for extension of time. By contemporaneous correspondence with the Patent Office (see attached copies), however, small entity will now be established and the \$25.00 extension fee would then be correct. Thus, since no additional fee would be involved and due to the incorrect credit on our account in connection therewith, it is suggested that our account be charged \$25.00 in order to resolve the matter.

Should you have any questions regarding the above, please advise.

Very truly yours,

David J. Josephic



DJJ/cja
Enclosures



Serial No: 358,055
Filed: March 15, 1982
Applicant: Leland C. Clark, Jr.
Title: METHODS OF TREATING THE EYE
WITH LIQUID PERFLUOROCARBONS
Art Unit: 125
Examiner: F. Waddell

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GROUP 129

Cincinnati, Ohio 45202

September 20, 1983

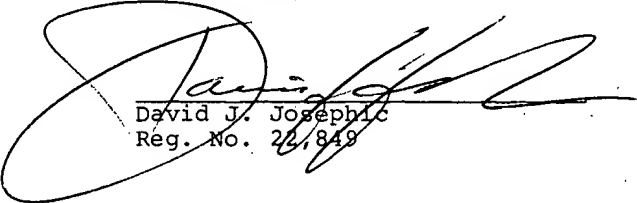
Hon. Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

Enclosed for filing in connection with the above
identified application is a declaration claiming small entity
status.

Respectfully submitted,

WOOD, HERRON & EVANS


David J. Josephic
Reg. No. 22,849

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